### Silks for Spring

The threads in these goods are printed before they are woven, and, as a consequence, are not so sharply outlined as the printed surface goods, and are more beautiful by

\$1 the yard and up.

HERE'S RICHNESS We have imported this spring 150 exclusive Silk Patterns, no two alike, goods that can-

not be duplicated even by ourselves. In the Long Block Plaids on printed warp

Chameleon flowered grounds with black

satin stripe. Changeable Peau de Soie, etc. \$7.50 to \$30 for Waist Patterns. \$16 to \$72.50 for full Dress Patterns. Do you want to see them?

L. S. Ayres & Co.

### **BALDWIN PIANOS**

These instruments are being produced in a strictly first-class manner. In workman-ship, case finish, quality of tone and general appearance, these instruments have already roven leaders. The many years' experience the Baldwin house in the handling of the ading makes of the country, its large cap ital, the active interest taken by member of the firm, have enabled it to place on the market a line of planos which are well able to hold their own under any and all circum One style that we were especial with was a Colonial Baldwin. was certainly an instrument of beauty chaste in design, artistic in finish, thor oughly sympathetic in tone quality, with an even scale, and well worthy to be counted among the high-grade makes.—The Musical

D. H. BALDWIN & CO. 95, 97 & 99 North Pennsylvania St.

## For a Superstructure

but steady custom is the them for an office. foundation of a business. prices that attract you—
treatment that will hold

ing for. We give you said the federation would attempt to secure the enforcement of laws.

Dr. Sims had prepared a long appeal to the people, which he read to the ministers.

They adopted it with a unanimous vote. It is as follows: you-

Clothes That Fit

The new fabrics are all in. Suitings, Trouserings and Overcoatings-a careful selection of worthy stuffs.

You

Can we show them to you?

# VOUNG & McMURRA I

TAILORS,

12 & 14 N. Meridian St.

ART EMPORIUM.

### First Week in April

Exhibit of Decorated China by Home Artists.

> THE H. LIEBER COMPANY. 33 South Meridian Street.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

#### Happy House Cleaning Time . . .

There's twice the pleasure in moving things 'round" if you can add a new piece of furniture to them. See our exquisite, low-priced

odd pieces, And there's always a nook or a corner that some bright drapery will make cheerful.

We have the material to drape anything, any way-that's the right and artistic way.

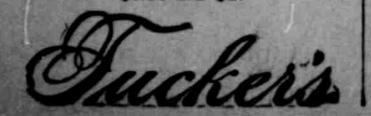
RADGER FURNITURE CO.

75 and 77 East Washington Street,

20 and 24 Virginia Avenue. ......................

The Glove Stock

Come EARLY in the week and avoid the Big Rush. PRICES-50c, 75c, \$1, \$1.25, \$1.50, \$1.75 and \$2.



#### NO HOPE FROM MAYOR

MINISTERS FIND HE WILL NOT EN-FORCE SUNDAY BALL STATUTE.

An Appeal to the People-Mayor's Letter Discussed-A Visit to the Sheriff.

Mayor Taggart yesterday sent his letter n answer to the ministers' interrogatories to their regular Monday meeting. It was exactly as outlined in yesterday's Journal. He throws all the responsibility of enforcing the laws against Sunday baseball outside of the city on the sheriff. He con-Tenaint old Plaids in soft green and laven- strues the laws giving the police authority within four miles of the city as being intended simply for cases of emergency, and not for cases where it is known before that the law is to be violated. His letter in

"In reply to the inquiry of your commit-tee, made several days ago, concerning Sun-day baseball, I wish to say that I have con-ferred with the Board of Public Safety upon the subject, and their conclusion is that un-der no circumstances will Sunday baseball be permitted within the limits of the city of indianapolis. Section 98 of the city charter, lefining the powers and duties of the police department, makes 'the officers of such police force \* the conservators of the peace within such city,' and, as such, makes it their duty to arrest all persons who com-mit any crime or misdeameanor contrary to the statutes of the State or ordinances of the city. Playing baseball on Sunday, where an admission fee is charged, is a violation of a state statute, and should any attempt be made to do so within the limits of the city, the police department will prevent it.
"Section 7945 of the Revised Statutes of 1894
defines who is the conservator of the peace within the county and makes it the duty of such officer to suppress violations of the law within the county where the same are within his knowledge. While Section 100 of the city charter gives the Board of Public safety power to detail regular policemen or appoint special policemen or firemen to do special duty at any place
within the county when
deemed expedient, the board is of the opinion that this power is to be used only in
cases of emergency and when the proposed violation is not within the knowledge of the conservator of the peace for the county.

"The Board of Public Safety does not believe that the contemplated playing of baseball on Sunday is such an emergency as makes it its duty to interfere, when the section of the statute above mentioned espe-cially places this duty upon another of-

TO VISIT THE SHERIFF AGAIN. This letter was read to the ministers and discussed. It was then decided to send a committee to see Sheriff Womack again. The committee called on him yesterday afternoon. He said he had nothing further to say to them at this time, but promised to send his answer the latter part of this week, so it could be read at the meeting next Monday morning. Many of the ministers spoke during the discussion of the question. Dr. Buchtel said it was an outrage that the officers of the law should hide behind each other in this matter as it would Transient trade is all right, seem they are doing. He denounced them and said no honest man could ever vote for

Capt. Eli F. Ritter told the ministers of civic federation which had been formed. That's what we are work- He said he would furnish blanks to all min-

"Appeal to the Sheriff of Marion County, the Mayor, Board of Public Safety and the People of Indianapolis:

"In view of the fact that Sunday games of base ball have been publicly scheduled to be played near this city in open and direct violation of law, we make this appeal for their suppression in the name of law and religion. We do not here repeat the argument by which we defend the sanctity of the Lord's day. With one voice Christians unite in declaring it an institution which they hold sacred because of its divine appointment, and because of its universally beneficial influence. We do not hesitate to appeal to the conscience of Christian people as a proper factor in solving the itate to appeal to the conscience of Christian people as a proper factor in solving the problem now before this community. This is not an infidel community. The great majority of our citizens believe in Christianity as divine. They recognize the authority and the law of God. We have a right, therefore, to ask them to consider this question from the Christian along with the legal standpoint. While we give full weight to the humanitarian arguments for keeping this day we would be false to ourselves and the community if we ignored the moral grounds upon which we urge its observance.

"Conservative publicists, with rare unanimity, declare the weekly rest day con-

nimity, declare the weekly rest day conducive, if not absolutely essential, to the welfare of men, and they appeal to the sense of self-preservation inherent in humanity for the maintenance of an institution so full of blessings to every class of society. Along with this is the still higher motive for keeping the day holy.

GOD'S HOLY DAY. "The Heavenly Father designed it, not only for our physical well-being, but also for our moral and spiritual elevation by means of its religious obligations and moral associations. If we were merely a high type of animals we might ignore the higher view of the day. But man is more than animal. and his moral and religious being demands intelligent care. Man needs the day of rest for the development and preservation of his whole nature-physical, moral, intellectual. We therefore appeal earnestly to the conscience of the community. How shall God's rest day be treated? Shall its quiet be broken up in the interest of sordid gain? Shall it be made the great harvest day of gamblers, saloonkeepers and gamesters? God has claims upon the day. Shall we refuse to recognize them? The issue is upon us; we cannot evade it. Are we for or against the civil Sunday? Are we for or against a divinely appointed day of rest?

"Let no one say we are seeking to rob the poor of their only day of amusement. We are making no 'Sabbatarian crusade against the rights of anyone. We would not interfere with any use of the day which does not violate law and injure public morals. The Sabbath was made for man'; not for dissipation and the lowering of his manhood, but for his highest enjoyment and welfare. We are not trying to 'force men to be religious.' Religion is a matter which rests between each soul and God. But, while civil law has no jurisdiction over a man's faith, it does require of him to respect the public peace. We have no purpose to bind this day about men as a chain to enslave them or a burden to crush them. We ask for it rather as a relief to free them, a boon to enrich them. Blot it out, and the work of religion would become crushingly heavy, and the whole tone of society lowered.

"As regards the civil restrictions pertainrest day be treated? Shall its quiet be

"As regards the civil restrictions pertain-"As regards the civil restrictions pertaining to the observance of the 'first day of the week, commonly called Sunday,' we maintain that these laws are in the interest of the very classes for whose alleged benefit it is proposed to disregard them. The workingman, as much as anyone else, needs a weekly rest day. If he is wise he will not seek to break down any of those restrictions which are still applied to the observance of Sunday. servance of Sunday.

WHY WORKINGMEN SHOULD HEED. "More than any other class, the workingmen should realize that the secularization of Sunday tends to its destruction as a rest day for themselves. What is the actual condition, for example, in France and Germany? In those countries there is unlimited license of amusements, and, along with it, unlimited license of business. What is the result? From statistics compiled a few years ago it was found that out of about 500,000 manufacturing establishments in Prussia nearly 60 per cent. were operated on Sunday, and out of about 150,000 establishments devoted to trade and transportation more than 75 per cent. were in operation seven days in the week. In France the case is almost as bad, and in both of these countries the ooth of these countries the great majority of workingmen and clerks have no rest

day at all.

"They demanded precisely what some short-sighted laboring people are demanding now, and the result has been, not greater liberty, but a condition of servile degradation, with no opportunity for reaction or self-improvement. If the French or German clerk or mechanic refuses to work on Sunday, there is always someone who is ready to take his place. It would be hard to imagine anything more pleasing to sordid and avaricious capitalists than the abolition of the Sunday laws. The secularization of the day would enhance their power of oppression, while increasing the degradation of the working classes. In view of the situation in Germany and France, it is hard

to see how like circumstances would fail to result in like conditions in America.

SUNDAY RIOT AT TERRE HAUTE. "We cannot have forgotten the wild disorder and even disgraceful violence which atended the Sunday baseball experiment in Terre Haute last season. It surely cannot be for the real interest of workingmen any more than for any other class that we put a premium upon such rioting by deliberately inviting the violation of a specific law, only eleven years old, and which has never been disregarded here.

"The law is as follows: Section 2087, R. S. 1894, Chap. 36, on page 127 of the acts of 1885 reads, 'Be it enacted by the General Assem-bly of the State of Indiana that it shall be unlawful for any person or persons to en-gage in playing any game of baseball where any fee is charged, or where any reward or prize, or profit, or article of value is de-pending upon the result of such game, on the first day of the week, commonly called Sunday, and every person so offending shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not exceeding \$25.

We believe that the enforcement of this law will aid in the more rigorous enforcement of other laws against evils which are be-yond the possibility of entire suppression. There is at least a partial enforcement of laws against gambling, Sunday liquor selling and other kindred evils. The way to increase respect for the laws as a whole is the impartial enforcement of every law. That our working people need more time for their own use, free from the demands of their daily tasks, seems to us beyond question. We therefore suggest as a practicable rem-edy for this evil that an effort be made to secure a half, or quarter, holiday each week for our working people without any diminu-tion of their weekly wages. They will then have time for such reasonable recreation and amusement as they desire and need, and will also have Sunday free for its legitimate uses and rest. We believe that a large majority of our citizens, including those who employ labor, would favor such an arrangement. "The law of the land and the law of God

agree in giving us a quiet, orderly Sunday. They establish and protect one day in seven as a day of rest. They make the common pursuits of life unlawful on that day, except works of necessity and mercy. State and municipal laws especially protect the peace and order of Sunday by forbidding the opening of saloons, gambling dens and places of evil resort. They forbid the playing of baseball where admission fees or business gains of any kind are taken. They recognize such places and games as tending to encourage disorder, to increase drunkennes and vice, and to add to the number people who must work on sunday to minister to the pleasures and appetites These places and games are wholly antagonistic to the purposes for which the day was established. They endanger the morals of youth; they induce their patrons to waste earnings which are much needed for the support of families; they multiply the temptations which beset those who are already under the power of evil habits. Mothers and wives feel that their sons and husbands are safer when the Sunday laws are enforced against these

OFFICERS HAVE NO DISCRETION. "Thoughtful men feel that it is monstrous that sheriff, or Mayor, or Board of Public Safety should hesitate for any cause to enforce the plain, unequivocal laws of the land of which they are the sworn executive officers. That they should assume the slightest discretionary power in deciding what laws they will enforce and what laws they will allow to be broken with impunity, is so flagrant a violation of official oath and so fraught with peril to all law, that public opinion should not tolerate it for an hour. If the men chosen to enforce law disregard it, who shall hold it in reverence? regard it, who shall hold it in reverence?

"There is no abridgment of holiday blessings by the enforcement of law. The quiet of a day of rest shall refresh the weary toiler, that shall permit him elevating and pure social enjoyment with his family and friends, does not require the open saloon nor the crowds and excitement of Sunday games. Nor do we believe that it is the working people who are clamorous for the anarchy of disregarded and broken law.

"The men who most want law violated are those who schedule the games, and open the resorts, that they may induce the workingman to part with his money for their advantage. We will not believe that our county and city officials will shrink from the enforcement of these plain and wholesome laws, which they have solemnly sworn to enforce, or that they will present to the public the spectacle of tryemnly sworn to enforce, or that they will present to the public the spectacle of trying to hide behind each other to avoid a plain duty. We will not believe that they are cowards, to be driven from duty by the demands of law-breakers, or tools, to be bribed by votes, to the criminal neglect of official obligations.

"We call upon our officials to prevent the playing of Sunday baseball in our vicinity, as by the law and their official oaths they are required to do. And we call upon all

are required to do. And we call upon al citizens of Indianapolis to so support the dignity of law and the peace of society, that law-breakers shall be restrained and the good order and good name of our city shall be preserved."

#### MRS. EWING ENGAGED

SHE WILL BE AT HEAD OF SCHOOL OF HOUSEHOLD SCIENCE.

Propylacum Board to Pay Her \$5,000, Which She Is to Raise from Manufacturers.

There was a called meeting of the Propylaeum stockholders yesterday afternoon to consider the question of establishing a school of household science in this city. When Mrs. Emma P. Ewing gave her recent lessons in cookery at the Propylaeum she talked enthusiastically about such a school and an interview with her on the subject appeared in the Journal. At meeting of the board of directors there was a full consent to organize such a school and mously indorsed the movement. Mrs. Sewall, president of the Propylacum board, prepared a contract, which was sent to Mrs. Ewing, and she signed it. By this, Mrs. Ewing will have the greater part of the responsibility of the school. Mrs. Ewing is superintendent of the Chautauqua Cooking School, or School of Domestic Science, and is pre-eminently qualified to undertake the labor. By the terms of the contract, Mrs. Ewing agrees to raise the sum of \$5,000 from the manufacturers of this city and she will in return agree, on their subscriptions, to use only their brand of goods and to have the fact thoroughly advertised in the school and in other ways The sum is to be raised and deposited with the treasurer of the Propylaeum before the school is opened. The board of directors of the Propylaeum agrees to pay Mrs. Ewing \$5,000 in eight monthly installments and to furnish the building for the school. Mrs. Ewing will give lectures in the ad-jacent cities and towns. The proceeds from these lectures and the tuition fees in the school will go to the Propylaeum. The proceeds from the sale of all articles made in the school will go to Mrs. Ewing, who has to furnish all materials for the cooking department. In the school will be taught cookery, the work of the chambermaid, the household maid, who has the care of the parlor and other rooms and the care of the parior and other rooms and the care of the silver, china and glass; the nursery maid, and, in fact, work of all departments of the household. There will be departments of theory and practice. In addition there will be a training school, where teachers will be taught how to instruct in all these departments. A committee of three from the Propy-laeum stockholders will have charge of the

conduct of the school, and they will give Mrs. Ewing a circular letter to announce the school. Mrs. Ewing is to engage her own assistants, three in number, and, in short, she will have almost absolute control of the school. The work will be undertaken for one year, with the understanding that if the director and Propylaeum are justified it shall be continued indefinitely. This project is one which has been contemplated for several years. The time has not been thought opertupne till now. With the assistance of so capable a woman as Mrs. Ewing there is no apparent reason why this city will not support such an institution. Domestic service has been, and is, at sixes and sevens in most houses, so the women claim, and this step toward a school of household science is one which will in a measure change the conditions to something pleasanter. The next step in the proceedings will be taken by Mrs. Ewing, and it will be known in the course of a few months the

Deeds for a Big Land Deal. Warranty deeds transferring to the Pennsylvania Company the territory bounded by Delaware, Pennsylvania and Georgia streets

exact date of the opening of the school.

and the Union tracks, were filed with the county recorder yesterday by Frederick H. Davis and George Hitz. The aggregate consideration was \$195,000.

LEWIS WALLACE, JR., FILES PETI-TION IN APPORTIONMENT CASE.

> Shows Why Supreme Court Should Give People Guidance in Holding an Election.

acts assumed a new phase yesterday afternoon. Lewis Wallace, jr., an attorney of this city, took an independent stand by filing with the Supreme Court a petition to file an intervening petition in the case of William M. Denny and others against the State of Indiana, on the relation of Ferd E. Boslet, which was decided by the Supreme Court sixty days ago, with the resuit that the apportionment acts of 199 and 1895 are unconstitutional. Mr. Wallace claims to be acting absolutely independent of any party or particular interests. He has studied the apportionment situation and urged some such action as he now takes on the leaders of the political parties. Yesterday was the last day on which a petition for a rehearing of the cause could be Mr. Wallace, in his intervening petition,

which was filed with his petition to file, sets

forth that there is no doubt about the case

still being in court. He enters the case as an elector. The petition avers that the recent decision was related only to isolated statutes and not to the whole cause which re now wishes to present. The decision establishes a precedent whereby the Hamilton county court, in the suit now pending must declare all apportionment acts invalid. The prospects are therefore set forth point ing to the nonexistence of Legislature, which will be a lation of the State's compact with the United States and the Constitution thereof. Mr. Wallace petitions the court to decide which law is valid so the Legislature may be chosen according to it and meet for the purpose of enacting a fairer apportionment act. Mr. Wallace claims, but not in his petition, that the reception or his petition will settle all apportionment lit-

tors of the State.

igation, much to the advantage of the elec-

"Petitioner has had no part either in the prosecution or defense of this cause and is plame for any mistakes or emissions in framing the issues therein. It is common information, which the court may share, that this action, as the others about the same subject, was prosecuted and defended under the supervision and control of the seaders of the great political parties, and for the undisguised purpose of sustaining or overthrowing particular statutes, and because of such purpose the questions raised and considered, related only to isolated statutes and not to the whole case hereby sought to be presented. Upon such questions this court has held and your petition of does not feel aggrieved by the ruling, that neither the apportionment acts of March, 1893, nor the apportionment act of March, 1895, conforms to the requirements of Sections 3, 4, 5 and 6 of Article 4 of the Constitution of this State. But because of the incomplete facts brought to the attenthe incomplete facts brought to the attention of the court, your Honors have given no opinion as to whether there is any statute making apportionment in this State which conforms to said sections, or as to the apportionment according to which the ensuing election should be held, in case all such statutes are irregular. COURT INADVERTENTLY ERRS.

"And your petitioner is aggrieved because of the omission to give an opinion upon these questions and to give effect to such opinion in the decisions and judgment in this cause. He respectfully represents that, because of the partial and incomplete presentation of the case, this court, in mistake of the facts actually existing, has inadvertently erred upon the following points: "First—In holding, or suggesting, that the election this year can be held according to the apportionment made in 1885, which has not been expressly adjudged invalid. That act is clearly as defective us the others and open to the identical objections held sufficient to overthrow the act of 1895; to hold an election under it would be to make a pretense to which all voters would have to consent, and that they have not consented is demonstrated by the action begun in the Marion Superior Court, appealed to this court on March, 1896, and docketed as cause No. —, of this court, where it is entitled James W. Fesler, Clerk, et al. vs. Alembert W. Brayton. Petitioner refers to the record of that case on file here and particularly sentation of the case, this court, in mistake of that case on file here and particularly to the allegations of the complaint therein which state facts within judicial cognizance and known to be true. It appears very clear that upon the hearing of that appeal the judgment of the lower court will be affirmed in accordance with the decision in this cause. If the appeal is not reached in time the judgment of the lower court will hold good, and in any event, the defects of that apportionment are notorious, having been the frequent topic of newspaper comment and public debate, so that it is as if that law had been adjudged invalid. The court has mistaken the fact as to the practical possibility of acquiescence in so holding the election; and, it is submitted that ing the election; and, it is submitted that the error thus made was inadvertent and should be corrected. Besides this, your petitioner and other electors are entitled to vote at an election held in some manner and mode sanctioned by law, and it is not good law or sound policy to require an election to be conducted according to an apportionment which has, at best, but a merely pretended validity.

y pretended validity.
"Second-In holding, or suggesting, that, as the alternative to an election according to such pretended apportionment, the peo-ple must rely upon the Governor of the State to call the present Legislature into special session to enact a valid apportion-ment. This suggestion must also have had its origin in a mistake of fact. It is now commonly known and the court can take notice of the fact, that a hopeless difference exof the fact, that a hopeless difference exists between the Governor and the Legislature, on account of which he cannot be brought to the opinion that it should be called together. On a very public occasion he refused to do so. There is, therefore, no relief for the people in that direction. Besides, petitioner submits that a matter of such supreme importance as an election of a Legislature should not, under any circumstances, depend upon the discretionary power of any one man, however exalted his office or unimpeachable his personal character may be. Such is not the law.

THE FAULT OF THE RECORD. "Third-In pronouncing no opinion as to the law of the case actually existing. This was due clearly to the incomplete and partial presentation of facts offered by the record as made by the original parties. Were this a matter affecting them alone, the failure to develop all the facts would not avail in such a proceeding as this, but as the petitioner is in no wise to blame for such tioner is in no wise to blame for such neglect and as the judgment is binding upon him as a precedent at least in a matter where its effect as a precedent will be so potent and as it jeopardizes the highest right known to American law, the failure of one who volunteered to represent the State becomes a reason for granting rather than refusing the petitioner his opportunity to be heard. Your petitioner asks to bring to the court's attention that all the apportionments made petitioner asks to bring to the court's attention that all the apportionments made since the adoption of the present Constitution are susceptible to substantially the same objections held sufficient to overthrow the acts of 1879, 1891, 1893 and 1895, and that the older acts have become grossly unequal and unjust by reason of the increase and change of population since their passage. Upon this showing he wishes to submit that the compact of admission and the guaranty of Section 4 of Article 4 of the Constitution of the United States do avail to save one of such enactments notavail to save one of such enactments not-withstanding its irregularities to the end that a legislature may be chosen and a republican form of government main-"Your petitioner shows to your Honors

that Chapin C. Foster and others, being electors of the State of Indiana and enelectors of the State of Indiana and entitled to vote at the election this current year, have filed their complaint in the Hamilton Circuit Court against the clerks, sheriffs and auditors of all of the counties of this State, wherein they show to that court that the apportionment acts of 1879, 1891, 1893 and 1895 have each been adjudged invalid by this court and that the apportionment acts of 1851, 1867, 1867, 1873 and 1885 are each susceptible to the same objections as were so adjudged sufficient to overthrow the said acts. throw the said acts so invalidated and wherein they pray for the judgment of said court upon said acts; all of which will, your Honors permitting, be made more fully to appear by a copy of said complaint to be filed in this connection. Your petitioner says that said acts are in law and in fact obnoxious to Sections 3, 4, 5 and 6 of Article 4 of the Constitution of this State, as will appear from examination thereof in connection with the several enumerations, upon which the same were respectively based, and that the truth is, as this court may judicially know from said enactments

portlonment in the mode prescribed tion co-extensive with the boundaries of the State, though inferior to this court, and

is prayed to inquire into these laws and de-cide under which the election this year shall be held and enforce its decision by injunction and mandamus. In reaching a clusion that court, by reason of the respect and obedience it owes to the authority of this court, must follow the precedents of the decision in this cause, and in Parker vs. State ex rel., Powell, 133 Ind., 178, and hold each of said laws inoperative and ineffectual. The only judgment upon such decision will be an injunction resuch decision will be an injunction re-straining the officers of every county in the State (who are all defendants to that ac-tion) from taking steps to hold the elec-tion under any of said acts. There can, then, be no election of Senators and Representtives; and, as the present incumbents can hold office only until the expiration of the terms for which they were elected, there can be no Legislature. Constitution, Article 15, Section 3.

SOME GRAVE POSSIBILITIES. "That result will inevitably follow, unless the Hamilton Circuit Court shall take the view which is now urged upon your Honors that the decisions in Parker vs. State, and in this cause were upon partial and insufficient facts and not upon the whole truth, and shall, therefore, conclude that some other rule should be applied to the entire case there before the court. What considerations would then control is a matter of conjecture, but it is obvious that the de-cision of that court will be set up to some extent against the decision court and great confusion and very grave possibilities would ensue, especially as there would probably not be time for a review of its judgment in this court "Your petitioner submits that, as the

Hamilton Circuit Court has no power to render judgment the effect of which is necessarily to suspend the existence of the Legislature and has no power to reverse a ruling of this court and there is no time for an appeal in regular course, a proper case is made for a writ of prohibition commanding that court to proceed no further in the action aforesaid; but, that the same result can be accomplished by allowing a rehearing in this cause and considering upon such rehearing not only the facts in the record, but those herein brought to the attention of the court and rendering judgment "Your petitioner would further show that upon reversal of this case, as hereinbefore ordered, the Sullivan Circuit Court will have and may exercise the same jurisdiction upon an amended complaint as that held and about to be exercised by said Hamilton Circuit Court; that its judgment may differ from that of said Hamilton Circuit Court, so that two antagonistic judgments of equal authority may be attempted to be enforced at the same time. The grounds for the petition are set forth tention to the political nature of this case mences which may ensue without time being allowed for an appeal and decision in this honorable court, the final arbiter of all

> NOT TO APPLY TECHNICAL RULE. "The technical rule against presenting new facts and new questions upon a petition for rehearing can have no applicarehearing is asked. It is claimed that the decision made, while unobjectionable upor the very point decided, will, operating as a precedent, prevent a full consideration of the case actually existing, and upon which this court has not passed, and that the petitioner, who is free from fault in relation to the incomplete showing made, will be injuriously affected by the judgment so operating as a precedent. operating as a precedent.

> "The case is much stronger than was presented by the petition in Pollock vs. Farmers' Loan and Trust Company, 158 U. S., at Page 602. There the point was made that by reason of an equal division the decision sought to be reviewed had no effect as a precedent and much litigation would ensue. Here it is claimed that the decision does operate as a precedent, but in a case not before the court wherein its effects will be to violate the most sacred covenant of the to violate the most sacred covenant of the State and impair the guaranty of the United States, that the people of the State shall have a republican form of govern-

> "The case is stronger even than Green vs. Biddle, 8 Wheaton, at Page 17, though analogous to it. There the first decision was upon the question whether a statute of Kentucky contravened the compact between that State and Virginia, and a rehearing was granted and full argument allowed upon the further question not theretofore raised, whether the compact was within the protection of the Constitution of the United States. That practical consequences are to be considered, see People vs. Rice. 135 N. Y., 473, 506; Rumsey vs. People, 19 N. Y., 52. And this court has, in this very case, strongly declared that technical rules shall not prevent a full hearing and right decision in such a matter, saying:
>
> "Yet the people of the State, in their sovereign capacity cannot, for such reasons, be estopped from asking for a determination of the validity of a law under which it is now proposed that they shall elect the next Legislature. When the people of this State appear at this bar with such an issue, there can be no question of estoppel. The inquiry is one reaching to the foundations of government."
>
> "This intervenor is suing for the people in a truer sense than was the relator, who merely represented a political party, and the issue which he wishes to submit is, whether the people have any law at all rotection of the Constitution of the United the issue which he wishes to submit is, whether the people have any law at all under which they can choose their next Legislature; an issue which is being formed in a court of inferior, but competent, jurisdiction, whose decision will be prejudicially influenced by the decision your Honors are now asked to review. A stronger case cannot be imagined. Of course, a rehearing will not prevent this court from making such judgment as may be just relative to costs and the private matters of the original litigants."
>
> The question raised by Mr. Wallace is,

The question raised by Mr. Wallace is, what effect does the obligation to support a republican government, or representative democracy in this State, have upon the present actual case of the electors of this State? The practical operations of a court's decisions, so as to conserve and not defeat the principles of government, is submitted as a principle in the case, so that some apportionment act may be kept alive to the and that the people of the State may have end that the people of the State may have some way of electing Senators and Representatives this year. The petition avers that this can only be done by construing together the national Constitution, the State Constitution and the several apportionment acts in the light of the historical facts connected

The attention of the court is called to the fact that there is no precedent for a decision practically annulling all apportionment laws and leaving the people without lawful means of holding an election of a Legislature. The cases of Board vs. Blacker, 92 Mich., 638: Giddings vs. Blacker, 93 Mich., 1, and People vs. Rice, 135 N. Y., 473, are cited in support of the claim. In the last-named case Judge Peckham, who has since been appointed a Supreme Judge of the United States, found that the act submitted was defective and unfair, but refused to annul the same for the reason that doing so would leave the State without any apporwould leave the State without any appor-tionment according to which to hold their

The people have construed, so the petition

#### A POISONED LIVER

Don't Keep Poison in Your Body Longer Than You Have To.

If your stomach poisons your liver the conequences may be serious.

What poisons arise in your stomach come from undigested food which has decomposed there. They are absorbed by your blood and go to your liver, where they paralyze its functions and make you bilious,

Finally they go into the blood again and are carried all over the body, disordering your different organs, and perhaps making you dangerously sick. This is the origin of many diseases which are not always known for what they are.

The poisons of undigested food can only be got rid of by the use of a purifying. strengthening, digestive tonic, like the Shaker Digestive Cordial. A few doses of this wonderful cordial will soon clear away all undigested, fermenting,

poisonous substances, restore your appetite.

aid you to digest your food, purify your

liver and blood of all dangerous poisons, and restore you to perfect health. It will cure biliousness, indigestion, nausea, headache, dizziness, mental depression, weakness, fever, flatulence, constipation, loss of appetite, bad taste in mouth, stomachache, anaemia, rheumatism, etc., where other med-

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says, their obligation to be such as to give at least temporary validity to defective statutes for the purpose of continuing the existence of the Legislature; and the United States, through all its departments, has recognized this as a sufficient compliance with the State's undertaking. The purpose of the petition is then set forth. The court is asked to re-examine the case with the additional facts herewith brought to the attention of the court and in the light of the supreme law, requiring that some apportionment be sustained, at least temporarily, for the purpose of electing Representatives and Senators this year, and thereby preserving the continued existence of the General Assembly."

Hamilton County Case Next Monday. The county officers of the State, who were made parties to the apportionm suit brought in the Hamilton county court, have been informed that the case is set for hearing next Monday. The case may not be taken up before Tuesday or Wednesday. It is reported that the attorneys for the Democratic State committee will ask for a change of venue. The case will probably reach the Supreme Court some time in May.

WEEK OF RELIGIOUS SERVICES.

The Passover of the Jews - In the Christian Churches.

The Jewish people of the city are celebrating the Feast of the Passover, which began Saturday night at sundown and will continue for eight days. In addition to the congregation of progressive Jews, of which Rabbi Messing is at the head, there are three Jewish churches in this city. They are Congregation Kennesses Israel, at Merrill and Eddy streets, Simon Glassman, rabbi; Congregation Shara Tefilla, No. 552 South Meridian street, Meyer Levin, rabbl, and the Hungarian Congregation Ohew Zedeck, at Louisiana street and Virginia avenue.

The Catholic and Episcopal churches will celebrate Holy week, which commenced last Sunday. Thursday morning, Bishop Chatard will celebrate pontifical high mass, and the following day (Good Friday) services will be held at St. John's Cathedral. Each day this week at 12:05 o'clock there will be ten minutes' service at Christ Episcopal Church, and evening prayer at 4:30 o'clock. Communion will be held at 10:30 o'clock each morning, except Friday, when morning prayer, litany and ante-communion will be held. Wednesday evening there will be prayer and a sermon, and special baptismal services at 4:30 o'clock Saturday. All of the city churches are preparing special music for Easter. garian Congregation Ohew Zedeck, at Louis-

BROSNAN BROS. OPENING

Millinery Novelties. Yesterday Brosnan Bros. gave a spring opening in their millinery department at their big store on South Illinois street. The styles. Music was furnished by an orchestra and souvenirs were presented to the ladies in shape of bouquets. Brosnan Bros. have enlarged their business, having taken in several additional stores. Other additions will be made shortly to accommodate their growing business.

Notice to Stockholders. Office of the Citizens' Street-railroad Com-pany of Indianapolis, Ind., March 27, 1896. The transfer books of the company will be closed April 15, 1896, and further transfers of stock will be suspended from that date until after the regular meeting of stockholders, in W. F. MILHOLLAND, Secretary.

Eastman, Schleicher & Lee Office with Lilly & Stalnaker, 64 East Washington street. Please call and settle your account as we are closing up our books.

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Hardwood Mantels, Grates. Jno. M. Lilly. Feed your horse JANES'S Dustless Oats. Insure your home in the Glens Falls. Plumes, Tips and Aigrettes

colored and curled. Plumes made into half plum CHARLES FAILLES, 28 South Illinois street. Sensation. Ladies' Waists given away. See When window. Kimball Pianos. Carlin & Lennox, 31 E. Market st.

#### EASTER GREETINGS

In odd and dainty forms. Bon Bon Square Pianosin Exchange on New Uprights Boxes, Viniagrettes, Salts Bottles, Cold Cream Boxes, etc., mounted

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